

Marshall County

Emergency Telephone System Board

April 24th 2003

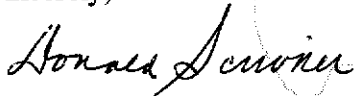
Verizon
1312E.Empire St.
MC: ILLLA8J
Attn. Deb Prather
Bloomington, IL 61701

Dear: Deb

This Letter is to confirm our intent to modify the existing E9-1-1 system of Marshall County IL. The selective routing for E9-1-1 will be provided by the local exchange carrier. This modification will go into effect as soon as the ICC has reviewed the plan and given its permission to use the plan. Public phones under your jurisdiction will also be posted and operational with 9-1-1 coin free dialing.

Enclosed is your copy of our modified application to the Illinois Commerce Commission. Thank you for your attention to this matter.

Sincerely,



Donald Scrivner
Chairman ETSB

Marshall County

Emergency Telephone System Board

April 24th 2003

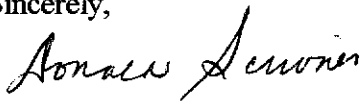
Ms. Julie Lambert
Gallatin River Communications
416 Margaret Street
Pekin IL 61554

Dear Julie:

This letter is to confirm our intent to modify the existing E 9-1-1 system of Marshall County IL. The selective routing for E 9-1-1 will be provided by the local exchange carrier. This modification will go into effect as soon as the ICC has reviewed the plan and given its permission to use the plan. Public phones under your jurisdiction will also be posted and operational with 9-1-1 coin free dialing.

Enclosed is your copy of our modified application to the Illinois Commerce Commission. Thank you for your attention to this matter.

Sincerely,



Donald Scrivner
Chairman ETSB

VILLAGE OF RUTLAND
COUNTY OF LASALLE,
STATE OF ILLINOIS

ORDINANCE NO.
2002-401

AN ORDINANCE CERTIFYING A
PUBLIC QUESTION CONCERNING THE
IMPOSITION OF A SURCHARGE FOR A
9-1-1 EMERGENCY TELEPHONE SYSTEM
FOR THE VILLAGE OF RUTLAND,
LASALLE COUNTY, STATE OF ILLINOIS

Date Passed: August 26, 2002

Date Posted: August 27, 2002

DO NOT REMOVE FOR 10 DAYS
FROM DATE OF POSTING

ORDINANCE NO. 2002-401

AN ORDINANCE CERTIFYING A
PUBLIC QUESTION CONCERNING THE
IMPOSITION OF A SURCHARGE FOR A
9-1-1 EMERGENCY TELEPHONE SYSTEM
FOR THE VILLAGE OF RUTLAND,
LASALLE COUNTY, STATE OF ILLINOIS

WHEREAS, a Special Meeting of the Board of Trustees of the Village of Rutland was held, pursuant to notice, on August 26, 2002, for the purpose of considering whether the Village Board should authorize submitting a public question to the electors of the municipality concerning the imposition of a surcharge for a 9-1-1 Emergency Telephone System on the ballot of the next regularly scheduled general election; and

WHEREAS, the Village Board of Trustees has determined that it would promote the public interest, safety and welfare to propose that a monthly surcharge be imposed for the purpose of installing or improving a 9-1-1 Emergency Telephone System; and

WHEREAS, the Village Board of Trustees has determined that, in the event a majority of the Village electorate approves the imposition of a surcharge to install or improve a 9-1-1 Emergency Telephone System, it would promote the public interest, safety and welfare to establish by intergovernmental agreement a Joint Emergency Telephone System Board with Marshall County; and

WHEREAS, the Village Board of Trustees finds that the proposed public question should be submitted to the Village electorate for its consideration and approval or disapproval.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RUTLAND, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The above recitals are expressly incorporated herein and made a part of this ordinance as though fully set forth herein.

SECTION 2: In accordance with section 15.3(c) of the Emergency Telephone System Act, 50 ILCS 750/15.3, the following public question is hereby certified for placement on the ballot by the proper election officials at the next regularly scheduled general election in the Village of Rutland:

Shall the Village of Rutland impose a surcharge of up to \$2.60 per month per network connection, which surcharge will be added to the monthly bill you receive for telephone or telecommunications charges, for the purpose of installing (or improving) a 9-1-1 Emergency Telephone System?	YES
	NO

SECTION 3: The Village Clerk is hereby authorized and directed to instruct and coordinate with the proper election officials to include the public question set forth in Paragraph 1 on the ballot concurrent with the next regularly scheduled election for the Village of Rutland.

SECTION 4: The provisions of this Ordinance are severable, and if any sentence, section or other part of this Ordinance should be found invalid, such invalidity shall not affect the remaining provisions.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. This Ordinance may be published in pamphlet form.

UPON MOTION by Trustee Cusac, seconded by Trustee Tooley, adopted at a special meeting of the Board of Trustees of the Village of Rutland, Illinois on the 26th day of August, 2002, by roll call vote as follows:

ROLL CALL VOTE

TRUSTEE	AYE	NAY	ABSENT
Benckendorf, Dorothy	X		
Cusac, Jerry	X		
Knepp, Kathy	X		
Petrimoulx, Troy	X		
Tooley, Chuck	X		

APPROVED this 26th day of August, 2002.

ATTEST:

Deb Dennis
Deb Dennis, Village Clerk

Charlotte R. Rupe
Charlotte Rupe, Village President

STATE OF ILLINOIS)
) ss
COUNTY OF LASALLE)

CERTIFICATE OF MUNICIPAL CLERK

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Rutland, the County and State aforesaid, and, as such Clerk, I am the keeper of the records and files of the President and Board of Trustees of the Village. I do further certify that the attached and foregoing is a true and correct copy of the:

ORDINANCE NO. 2002-40 AN ORDINANCE CERTIFYING A
PUBLIC QUESTION CONCERNING THE IMPOSITION OF A
SURCHARGE FOR A 9-1-1 EMERGENCY TELEPHONE SYSTEM
FOR THE VILLAGE OF RUTLAND, LASALLE COUNTY, STATE OF ILLINOIS

as passed by the Board of Trustees of the Village of Rutland, Illinois, at its special meeting held on August 26, 2002, and as approved by the President of said Village on August 26, 2002.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the corporate seal of said Village of Rutland, Illinois.

Deb Dennis (SEAL)
Deb Dennis, Village Clerk

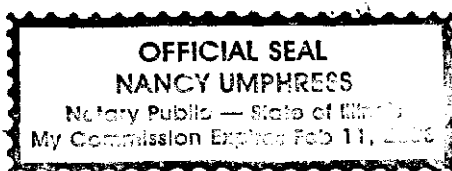
STATE OF ILLINOIS)
) ss.
COUNTY OF LASALLE)

CERTIFICATE OF PUBLICATION

I, Deb Dennis, certify that I am the duly elected and acting Municipal Clerk of the Village of Rutland, LaSalle County, Illinois. I further certify that on August 26, 2002, the corporate authorities of said municipality passed and approved Ordinance No. 2002-40 entitled, "AN ORDINANCE CERTIFYING A PUBLIC QUESTION CONCERNING THE IMPOSITION OF A SURCHARGE FOR A 9-1-1 EMERGENCY TELEPHONE SYSTEM FOR THE VILLAGE OF RUTLAND, LASALLE COUNTY, STATE OF ILLINOIS" which provided by its terms that may be published in pamphlet form. The pamphlet form of Ordinance No. 2002-40 including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building commencing on August 27, 2002, and continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Rutland, Illinois, this 5 day of September, 2002.

Deb Dennis (SEAL)
Deb Dennis, Village Clerk



Nancy Umphress
12-13-02

**VILLAGE OF RUTLAND,
COUNTY OF LASALLE,
STATE OF ILLINOIS**

**ORDINANCE NO.
2003-405**

**AN ORDINANCE CONCERNING
PAYMENT OF THE 9-1-1 EMERGENCY
TELEPHONE SYSTEM SURCHARGE**

Date Passed: March ~~10~~, 2003

Date Posted: March 11, 2003

**DO NOT REMOVE FOR 10 DAYS
FROM DATE OF POSTING**

**VILLAGE OF RUTLAND
COUNTY OF LASALLE
STATE OF ILLINOIS**

ORDINANCE NO. 2003-405

**AN ORDINANCE CONCERNING PAYMENT OF THE
9-1-1 EMERGENCY TELEPHONE SYSTEM SURCHARGE**

WHEREAS, the Emergency Telephone System Act (the "Act") 50 ILCS 750/0.01 *et seq.*, finds and declares that it is in the public interest to shorten the time required for a citizen to request and receive emergency aid; and

WHEREAS, the Act enables municipalities to impose a surcharge on telecommunications carriers at a rate per network connection in order to improve a 9-1-1 emergency telephone system; and

WHEREAS, the Village Board of Trustees of the Village of Rutland determined that it would promote the public interest, safety and welfare to impose a monthly surcharge for the purpose of installing or improving a 9-1-1 emergency telephone system by Ordinance No. 2002-401; and

WHEREAS, the citizens of the Village of Rutland passed a referendum on November 5, 2002, which referendum authorized the collection of a surcharge tax in accordance with the Act; and

WHEREAS, the Village Board of Trustees of Rutland has adopted an Intergovernmental Cooperation Agreement which directs and authorizes the Village of Rutland to join the Marshall County Emergency Telephone System Board in order to obtain enhanced 9-1-1 emergency telephone system service from Marshall County; and

WHEREAS, the Village of Rutland desires the appropriate telecommunications carrier, in conformity with Section 15.3 of the Act, to collect and deposit all surcharge funds imposed pursuant to the Village of Rutland's surcharge referendum, minus three percent as currently permitted by Section 15.3(g) of the Act with the Marshall County Treasurer.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RUTLAND, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: A monthly surcharge is hereby imposed on billed subscribers of network connections provided by telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of the Village of Rutland imposing said surcharge at a rate per network connection for installing and improving the 9-1-1 emergency telephone system. The monthly surcharge shall be at a rate up to \$2.60 per month per network connection, as hereinafter defined. With respect to network connections provided for use with paid telephone services for which there is no billed subscriber, the telecommunications carrier providing

the network connection shall be its owned billed subscriber for purposes of applying surcharge.

SECTION 2: For the purpose of this Ordinance, the following definitions shall apply:

- (A) "Network Connections" means the number of voice grade communications channels directly between a subscriber and a telecommunications carrier's public switched network without the intervention of any other telecommunications carrier's switched network which would be required to carry the subscriber's inter-premises traffic, which connection either (1) is capable of providing access through the public switched network to a 9-1-1 emergency telephone system if one exists, or (2) if no system exists at the time a surcharge is imposed under Section 15.3 of the Act which would be capable of providing access through the public switched network to the local 9-1-1 emergency telephone system if one existed.
- (B) "Transmitting Messages" shall have the meaning ascribed to the term in Section 8-11-2 of the Illinois Municipal Code, 65 ILCS 5/8-11-2.
- (C) "Telecommunication Carrier" means any individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, municipal corporation or political subdivision of this state, or a receiver, trustee, conservator or other representative appointed by order of any court engaged in the business of transmitting messages by means of electricity. "Telecommunication Carrier" does not include a cellular or other mobile communication carrier.

SECTION 3: The Village Clerk shall provide any telecommunication carrier subject to the surcharge due with a certified list of those network connections assigned to the municipality to be exempt from imposition of a surcharge. The certified list may be revised by the municipality on sixty (60) days' prior written notice provided to the telecommunication carriers.

SECTION 4: The appropriate telecommunications carrier, in conformity with Section 15.3 of the Illinois Emergency Telephone Act, is authorized to collect and deposit all surcharge funds imposed pursuant to the Village of Rutland's surcharge referendum minus three percent as currently permitted by Section 15.3(g) of the Illinois Emergency Telephone Act, with the Marshall County Treasurer. Every telecommunication carrier shall remit to the Marshall County Treasurer the amount of the surcharge due and owing for each calendar month within thirty (30) days following the expiration of each month to which the surcharge applies, net of any network or other "9-1-1" or sophisticated 9-1-1 system charges then due the particular communications carrier as shown on an itemized bill and the three percent accounting and collection charge as permitted by Section 15.3(g) of the Illinois Emergency Telephone Act.

SECTION 5: Simultaneously with the remittance described in Section 4 above, each telecommunication carrier shall make a return to the Village Treasurer for the period to which the remittance applies stating as follows:

- (A) The name of the telecommunication carrier;

- (B) The telecommunication carrier's principal place of business;
- (C) The number of network connections to which the surcharge applies;
- (D) The amount of surcharge due; and
- (E) Such other reasonable and related information as the Village authorities may require.

SECTION 6: If any section, paragraph, clause or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 7: All ordinances or parts of ordinances and conflicts herewith are hereby repealed.

SECTION 8: This ordinance shall be in full force and effect from and after its passage and approval.

UPON MOTION by Trustee Cusac and seconded by Trustee Petrimoulx adopted at a regular meeting of the Board of Trustees of the Village of Rutland, Illinois on the 10th day of March, 2003, by roll call vote as follows:

TRUSTEE	AYE	NAY	ABSENT
Benckendorf, Dorothy	X		
Cusac, Jerry	X		
Knepp, Kathy			X
Petrimoulx, Troy	X		
Tooley, Chuck			X

APPROVED this 10 day of March, 2003.

Charlotte R. Rupe
Charlotte Rupe, Village President

ATTEST:

Deb Dennis
Deb Dennis, Village Clerk

STATE OF ILLINOIS)
) ss
COUNTY OF LASALLE)

CERTIFICATE OF MUNICIPAL CLERK

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Rutland, the County and State aforesaid, and, as such Clerk, I am the keeper of the records and files of the President and Board of Trustees of the Village. I do further certify that the attached and foregoing is a true and correct copy of the:

**ORDINANCE NO. 2003-405
AN ORDINANCE CONCERNING PAYMENT OF THE
9-1-1 EMERGENCY TELEPHONE SYSTEM SURCHARGE**

as passed by the Board of Trustees of the Village of Rutland, Illinois, at its regular meeting held on March 10, 2003, and as approved by the President of said Village on March 10, 2003.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the corporate seal of said Village of Rutland, Illinois.

 (SEAL)
Deb Dennis, Village Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF LASALLE)

CERTIFICATE OF PUBLICATION

I, Deb Dennis, certify that I am the duly elected and acting Municipal Clerk of the Village of Rutland, LaSalle County, Illinois. I further certify that on March 10, 2003, the corporate authorities of said municipality passed and approved Ordinance No. 2003-405 entitled, "AN ORDINANCE CONCERNING PAYMENT OF THE 9-1-1 EMERGENCY TELEPHONE SYSTEM SURCHARGE." The pamphlet form of Ordinance No. 2003-405 including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building commencing on March 10, 2003, and continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Rutland, Illinois, this 10 day of March, 2003.

 (SEAL)
Deb Dennis, Village Clerk

BACK OF PAMPHLET

**VILLAGE OF RUTLAND,
COUNTY OF LASALLE,
STATE OF ILLINOIS**

**ORDINANCE NO.
2003-404**

**AN ORDINANCE AUTHORIZING AN
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE OF RUTLAND AND THE
MARSHALL COUNTY EMERGENCY
TELEPHONE SYSTEM BOARD**

Date Passed: March ~~10~~, 2003

Date Posted: March 11, 2003

**DO NOT REMOVE FOR 10 DAYS
FROM DATE OF POSTING**

ORDINANCE NO. 2003-404

**AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE VILLAGE OF RUTLAND
AND THE MARSHALL COUNTY EMERGENCY TELEPHONE SYSTEM BOARD**

WHEREAS, the Village of Rutland ("the Village") desires to have the Marshall County Emergency Telephone System Board ("ETSB") provide enhanced 9-1-1 emergency telephone service to the Village; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village that an agreement be entered into between the Village and the Marshall County Emergency Telephone System Board.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RUTLAND, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the President of the Village of Rutland, Illinois, be, and is hereby authorized and directed to execute an agreement concerning enhanced 9-1-1 emergency telephone service between the Village of Rutland and the Marshall County Emergency Telephone System Board, said agreement attached hereto as Exhibit A.

SECTION 2: That all Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

UPON MOTION BY Trustee Petrimoulx, seconded by Trustee Cosac, adopted at a regular meeting of the Board of Trustees of the Village of Rutland on the 10th day of March, 2003, pursuant to a roll call vote as follows:

ROLL CALL VOTE:

TRUSTEE	AYE	NAY	ABSENT
Benckendorf, Dorothy	X		
Cusac, Jerry	X		
Knepp, Kathy			X
Petrimoulx, Troy	X		

Tooley, Chuck

APPROVED this 10 day of March, 2003.


Charlotte Rupe, Village President

Attest:


Deb Dennis, Village Clerk

STATE OF ILLINOIS)
) ss
COUNTY OF LASALLE)


CERTIFICATE OF MUNICIPAL CLERK

I, the undersigned, do hereby certify that I am the duly elected, qualified and acting Clerk of the Village of Rutland, the County and State aforesaid, and, as such Clerk, I am the keeper of the records and files of the President and Board of Trustees of the Village. I do further certify that the attached and foregoing is a true and correct copy of the:

**ORDINANCE NO. 2003-404
AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL
AGREEMENT BETWEEN THE VILLAGE OF RUTLAND
AND THE MARSHALL COUNTY EMERGENCY TELEPHONE SYSTEM BOARD**

as passed by the Board of Trustees of the Village of Rutland, Illinois, at its regular meeting held on March 10, 2003, and as approved by the President of said Village on March 10, 2003.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the corporate seal of said Village of Rutland, Illinois.

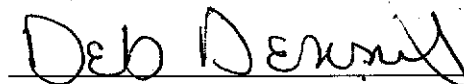
 (SEAL)
Deb Dennis, Village Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF LASALLE)

CERTIFICATE OF PUBLICATION

I, Deb Dennis, certify that I am the duly elected and acting Municipal Clerk of the Village of Rutland, LaSalle County, Illinois. I further certify that on March 10, 2003, the corporate authorities of said municipality passed and approved Ordinance No. 2003-404 entitled, "AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF RUTLAND AND THE MARSHALL COUNTY EMERGENCY TELEPHONE SYSTEM BOARD." The pamphlet form of Ordinance No. 2003-404 including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building commencing on March 11, 2003, and continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Rutland, Illinois, this 10 day of March, 2003.

 (SEAL)
Deb Dennis, Village Clerk

**Intergovernmental Agreement between The Village of Rutland
And the Marshall County Emergency Telephone System Board
for Enhanced 9-1-1 Emergency Telephone Service**

THIS AGREEMENT is made and entered into this ____ day of March, 2003, between The Village of Rutland, hereinafter referred to as "**RUTLAND**" and the Marshall County Emergency Telephone System Board, hereinafter referred to as "**ETSB**".

WHEREAS, RUTLAND is a unit of Government situated partially within the boundaries of the ETSB; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

WHEREAS, the "Intergovernmental Cooperation Act," 5 ILCS 220/3 *et. seq.*, provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and,

WHEREAS, the "Intergovernmental Cooperation Act, defines a public agency as follows:

"any unit of local government as defined in the Illinois Constitution of 1970, any school district, any public community college district, the State of Illinois, any agency of the State government or of the United States, or of any other State, any political subdivision of another State, and any combination of the above pursuant to an intergovernmental Agreement which includes provisions for a governing body of the agency created by the agreement." 5 ILCS 220/2(1)

WHEREAS, "Enhanced" or "sophisticated" 9-1-1 service means a basic system with the additional capability of automatic identification of the caller's number, holding the incoming call, reconnection on the same telephone line, clearing a telephone line, or automatic call routing or any other capability or features then available or combinations of such capabilities. 50 ILCS 750/2.08

WHEREAS, Emergency Telephone System Act permits a municipality to enter into an intergovernmental agreement with any count in which it is partially located to, upon the passage of a surcharge referendum, to connect to the county's 9-1-1 system and establish a joint emergency telephone system board. 50 ILCS 750/15.3 & 15.4

WHEREAS the citizens of **RUTLAND** passed a referendum on November 5, 2002, which referendum authorized a monthly surcharge per network connection for the purpose of installing or improving a 9-1-1 Emergency Telephone System to be administered by the **ETSB**; and

WHEREAS, RUTLAND and the **ETSB** have determined that there presently exists a need for the enhanced 9-1-1 Emergency Telephone System which will serve all the residents of **RUTLAND**.

NOW, THEREFORE IT IS HEREBY AGREED THAT:

1. The aforesaid recitals are incorporated into and made part hereof.
2. **RUTLAND** shall pay to the Marshall County Treasurer the current rate established by ETSB guidelines at the time the enhanced 9-1-1 service is activated or installed for **RUTLAND**.
3. **RUTLAND** shall be responsible for meeting all ETSB guidelines at all times this Agreement is in effect.
4. The ETSB shall have the powers and duties and responsibility to administer the 9-1-1 enhanced emergency telephone system in accordance with the Emergency Telephone System Act, all applicable state rules and regulations and any ETSB guidelines or bylaws.
5. In accordance with 50 ILCS 750/15.4(a), the Emergency Telephone System Act, the ETSB must appoint to the ETSB a public member who is approved by the ETSB and is a resident of the local exchange area for **RUTLAND**.
6. When receiving a call for emergency services in **RUTLAND**, ETSB by its Public Safety Answering Point ("PSAP"), shall dispatch the call in the following manner:

Primary EMS:	Toluca Ambulance
Secondary EMS:	Minonk Ambulance or other service requested by caller

Primary Police:	LaSalle County Sheriff's Department
Secondary Police:	Wenona Police Department or other Department specified by RUTLAND

Primary Fire:	Rutland Fire Department
Secondary Fire:	Toluca Fire Department or other Department specified by RUTLAND

7. Once an emergency unit is dispatched in response to a request through the system, such unit shall render its service to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.
8. The legislative intent of the Emergency Telephone System Act is that 9-1-1 be used for emergency calls only. Therefore, all calls of an administrative or non-emergency nature shall be referred to **RUTLAND'S** Village Hall or the LaSalle County Sheriff's Department, as appropriate.
9. ETSB agrees to keep all records, times, and places of all calls. All records will be available to all participants of the 9-1-1 system.
9. All agreements, management, records, and service will be the responsibility of the ETSB.
10. This Agreement shall be effective when signed by the duly authorized representatives of **RUTLAND** and the ETSB.

11. Any notices to be provided pursuant to this Agreement to be given by either party to the other shall be delivered or mailed to the office of the Village Clerk of RUTLAND or the office of the ETSB.
12. No officer, official, or agent of RUTLAND or ETSB shall have the power to amend, modify or alter this Agreement or waive any of its conditions so as to bind either party by making any promise or representation not contained herein. This Agreement may not be amended, except by written agreement and resolution of the parties.
13. The term of this Agreement shall be five (5) years from the date of its execution. On the anniversary marking the expiration of the initial five (5) year term, this Agreement shall automatically renew for another five (5) year term unless either party notifies the other in writing of their intention not to renew. To be effective, such notice must be received one year or three hundred sixty-five (365) days prior to the expiration of the prior term.
14. If any provision, clause or part thereof contained in this Agreement is held invalid by a court of competent jurisdiction, or is invalid for any other reason, such invalidity shall not affect any other provision, clause or part thereof.

IN WITNESS WHEREOF, the Village of Rutland pursuant to Ordinance duly passed and adopted by its Village Board of Trustees has caused this Agreement to be executed in its name by its Village President and its corporate seal to be affixed hereto, and attested to by the Village Clerk of the Village of Rutland, and the Marshall County Emergency Telephone System Board has duly authorized its Chairman to execute this Agreement in duplicate original counterparts, as of the day and year above first written.

Marshall County ETSB 9-1-1

By:

Donald Scrivner
DONALD SCRIVNER

Title: Chairman

Date: March 12, 2003

Village of Rutland

By:

Charlotte R. Rupe
CHARLOTTE RUPE

Title: Village President

Date: March 10, 2003

ATTEST:

Deb Derrill
Village Clerk

Certificate of Publication

FILED

OCT 17 2002

Mary Ann Williams
COUNTY CLERK, LA SALLE COUNTY, ILL.

SS.

STATE OF ILLINOIS,
County of La Salle.

The Times-Press Publishing Company L.L.C., a limited liability company organized and existing under and by virtue of the laws of the State of Delaware with its principal office and place of business in the City of Streator, in the County of LaSalle and State of Illinois, hereby certifies that it is the publisher of the Times-Press, and that said The Times-Press is a daily secular newspaper of general circulation in the County of LaSalle and State of Illinois, and that said newspaper is a newspaper as defined in an Act to revise the law in relation to notices as amended by Act approved July 17, 1959--Illinois Compiled Statutes, Chapter 715, Section 5/1 and 5/5, and that said newspaper is printed and published in the City of Streator, in the County of LaSalle and state of Illinois.

that the annexed notice attached hereto relating to **Surcharges**

Emergency Telephone System

was published once each week for **one (1) time** successive weeks in said newspaper in each copy or impression

thereof and that the date of the first insertion thereof was on the **11** day of **October**

A.D. 20**02**, and the date of the last insertion thereof was on the **11** day of **October**

A.D. 20**02**, and the said attached notice was published in the issues of said newspaper dated

October 11 A.D. 2002.

that said The Times-Press has been regularly printed and published for more than six months in the City of Streator, in the County of La Salle and State of Illinois, next preceding the first publication of said notice.

Dated at Streator, Illinois, this **11** day of **October** A.D. 2002.

TIMES-PRESS PUBLISHING COMPANY, L.L.C.

By

Its Agent

Printer's Fees:

\$ 27.00

NOTICE—
OF ELECTION
NOTICE IS HEREBY
GIVEN THAT AT THE
General Election to be
held on Tuesday, the
5th day of November,
2002 the following pro-
position will be sub-
mitted to the voters of
the Village of Rutland,
La Salle County, Illi-
nois:
Shall the Village of
Rutland impose a sur-
charge of up to \$ 2.50
per month per network
connection, which sur-
charge will be added
to the monthly bill you
receive for telephone
or telecommunica-
tions charges, for the
purpose of installing
(or improving) a 9-1-1
Emergency Tele-
phone System?
The polls at said
Election will be open at
6:00 o'clock A.M. and
continued open until
7:00 P.M. o'clock P.M.
of that day.
Dated this 11th day of
October, 2002
MARY ANN
WILKINSON
County Clerk,
The County of
La Salle, Illinois

VILLAGE OF RUTLAND

08

PROPOSITION TO INSTALL
A 9-1-1 EMERGENCY
TELEPHONE SYSTEM

SHALL THE VILLAGE OF RUTLAND IMPOSE A SUR-
CHARGE OF UP TO \$2.60 PER MONTH PER NETWORK
CONNECTION, WHICH SURCHARGE WILL BE ADDED
TO THE MONTHLY BILL YOU RECEIVE FOR TELE-
PHONE OR TELECOMMUNICATIONS CHARGES, FOR
THE PURPOSE OF INSTALLING (OR IMPROVING) A
9-1-1 EMERGENCY TELEPHONE SYSTEM?

YES -- 217 >

NO --- 218 >

County of LaSalle

ABSTRACT OF VOTES

FOR QUESTIONS OF PUBLIC POLICY ONLY

We, the undersigned members of the canvassing board of Village of Rutland
(Name of Governmental Unit)
do hereby certify that on November 12, 2002 we canvassed the returns of an election
held on November 5, 2002 and we do proclaim that a total of 155 voters
requested and received ballots and we do further certify that the following Question of Public Policy did
receive the number of votes herein recorded.

(Canvassing Board: Please include the question as it appeared on the ballot as well as the votes in favor and
against such proposition. USE ONLY ONE SHEET PER QUESTION. The canvass must reflect the total
number of votes received by each proposition. For multi-county questions, DO NOT canvass each county
separately.)

QUESTIONS OF PUBLIC POLICY	VOTES RECEIVED		INDICATE "Passed" or "Failed"
	IN FAVOR	AGAINST	
<u>Village of Rutland impose 911 surcharge</u>	<u>89</u>	<u>26</u>	<u>passed</u>

We further certify that the above is a true and complete Abstract of Votes and was prepared in our
presence this 12 day of November, A.D., 2002.

Charlotte R. Rupe, Mayor
(Member of Canvassing Board)

Dorothy Bensch
(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

(Member of Canvassing Board)

NOTE: "Each local canvassing board shall immediately transmit a signed copy or original
duplicate of its complete Abstract of Votes to each election authority having jurisdiction
over any of the territory of the respective political subdivision, and to the State Board of
Elections...." 10 ILCS 5/22-18.

Mail to: LaSalle County Clerk, Mary Jane Wilkinson, P. O. Box 430, Ottawa, IL 61350
State Board of Elections, 1020 South Spring Street, Springfield, IL 62708

OFFICIAL BALLOT RECORD

(FOR PUNCH CARD VOTING)

Unit(s) of Government Holding
Election in this Precinct:

General Election

Precinct

Township

La Salle Co. State of Ill

We do hereby certify that at the General election held in the precinct specified on November 5, 2002
a total of _____ voters requested and received the appropriate ballot cards.
(insert month, day, year)

BALLOTS RECEIVED

BALLOT TYPE OR COLOR	White	Brown	Orange				TOTAL EACH LINE
(1) Number of Official Ballot Cards Received (on Supply Day)	250	75	25				350
(2) Number of Absentee Ballot Cards Received (on Supply Day)	0	0	0				0
(3) Number of Absentee Ballot Cards Received (on Election Day from Highway Personnel)	2	0	0				2
(4) Total Ballot Cards Received (Total of lines 1 + 2 + 3)	252	75	25				352

PROCESSING DATA

(5) Number of Spoiled Ballot Cards (Returned by voters during voting hours for New Ballot - In "Spoiled before 7 p.m. envelope)	0	0	0				0
(6) Number of Rejected Absentee Ballot Cards (NOT cast in ballot box, application not spindled-in "Defective Ballot after 7 p.m." envelope)	0	0	0				0
(7) Number of Applications to Vote completed (from spindles)	118	37	0				155
(8) Number of Ballot Cards cast in ballot box. (Must equal number of Applications to Vote) MUST BE HAND COUNTED !!	118	37	0				155
(9) Excess Ballots (if more ballots than applications)	0	0	0				0
(10) Number of Defective, Objected to Cards (Cards with identifying marks and those not initialed by a Judge-NOT TO BE DUPLICATED-In "Defective Ballot after 7 p.m." envelope)	0	0	0				0
(11) Number of Damaged or Overvoted Ballot Cards. DUPLICATE CARDS MADE-In "Duplicated Ballot after 7 p.m." envelope)	0	0	0				0
(12) Number of Unused Ballot Cards	133	19	0				146

BALLOT CARDS TO BE COUNTED

(13) Number of Ballot Cards to be counted by computer. (To be hand counted by 2 Judges)	118	37	0				155
<u>ADG</u> Initials	<u>D.L.G</u> Initials						

No. 8 Minus (No. 9 and 10) Must Equal No. 13 TOTAL --> 155

We certify that the foregoing is a true and correct record of all Ballot Cards issued by the Election Authority.

The undersigned actually served as Judges at the Election on Nov 5, 2002 in the specified precinct and
the polls were opened at 6 a.m. and closed at 7 p.m.
(insert month, day, year)

Arthur B. Oldenburg
Election Judge

Maureen Magaly
Election Judge

Dale Goodhead
Election Judge

Kathy Knapp
Election Judge

John H. Orndt
Election Judge

C. Naga
(Special Deputy County Clerk)

VERIFIED BY:

C. Naga
(Special Deputy County Clerk)

(FOR USE AT COUNTING CENTER)

REVERIFICATION CERTIFICATION

**Intergovernmental Agreement between The Village of Rutland
And the Marshall County Emergency Telephone System Board
for Enhanced 9-1-1 Emergency Telephone Service**

THIS AGREEMENT is made and entered into this ____ day of March, 2003, between The Village of Rutland, hereinafter referred to as "**RUTLAND**" and the Marshall County Emergency Telephone System Board, hereinafter referred to as "**ETSB**".

WHEREAS, RUTLAND is a unit of Government situated partially within the boundaries of the ETSB; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

WHEREAS, the "Intergovernmental Cooperation Act," 5 ILCS 220/3 *et. seq.*, provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and,

WHEREAS, the "Intergovernmental Cooperation Act, defines a public agency as follows:

"any unit of local government as defined in the Illinois Constitution of 1970, any school district, any public community college district, the State of Illinois, any agency of the State government or of the United States, or of any other State, any political subdivision of another State, and any combination of the above pursuant to an intergovernmental Agreement which includes provisions for a governing body of the agency created by the agreement." 5 ILCS 220/2(1)

WHEREAS, "Enhanced" or "sophisticated" 9-1-1 service means a basic system with the additional capability of automatic identification of the caller's number, holding the incoming call, reconnection on the same telephone line, clearing a telephone line, or automatic call routing or any other capability or features then available or combinations of such capabilities. 50 ILCS 750/2.08

WHEREAS, Emergency Telephone System Act permits a municipality to enter into an intergovernmental agreement with any count in which it is partially located to, upon the passage of a surcharge referendum, to connect to the county's 9-1-1 system and establish a joint emergency telephone system board. 50 ILCS 750/15.3 & 15.4

WHEREAS the citizens of **RUTLAND** passed a referendum on November 5, 2002, which referendum authorized a monthly surcharge per network connection for the purpose of installing or improving a 9-1-1 Emergency Telephone System to be administered by the **ETSB**; and

WHEREAS, RUTLAND and the **ETSB** have determined that there presently exists a need for the enhanced 9-1-1 Emergency Telephone System which will serve all the residents of **RUTLAND**.

NOW, THEREFORE IT IS HEREBY AGREED THAT:

1. The aforesaid recitals are incorporated into and made part hereof.
2. **RUTLAND** shall pay to the Marshall County Treasurer the current rate established by ETSB guidelines at the time the enhanced 9-1-1 service is activated or installed for **RUTLAND**.
3. **RUTLAND** shall be responsible for meeting all ETSB guidelines at all times this Agreement is in effect.
4. The **ETSB** shall have the powers and duties and responsibility to administer the 9-1-1 enhanced emergency telephone system in accordance with the Emergency Telephone System Act, all applicable state rules and regulations and any **ETSB** guidelines or bylaws.
5. In accordance with 50 ILCS 750/15.4(a), the Emergency Telephone System Act, the **ETSB** must appoint to the **ETSB** a public member who is approved by the **ETSB** and is a resident of the local exchange area for **RUTLAND**.
6. When receiving a call for emergency services in **RUTLAND**, **ETSB** by its Public Safety Answering Point ("PSAP"), shall dispatch the call in the following manner:

Primary EMS:	Toluca Ambulance
Secondary EMS:	Minonk Ambulance or other service requested by caller

Primary Police:	LaSalle County Sheriff's Department
Secondary Police:	Wenona Police Department or other Department specified by RUTLAND

Primary Fire:	Rutland Fire Department
Secondary Fire:	Toluca Fire Department or other Department specified by RUTLAND

7. Once an emergency unit is dispatched in response to a request through the system, such unit shall render its service to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.
8. The legislative intent of the Emergency Telephone System Act is that 9-1-1 be used for emergency calls only. Therefore, all calls of an administrative or non-emergency nature shall be referred to **RUTLAND'S** Village Hall or the LaSalle County Sheriff's Department, as appropriate.
9. **ETSB** agrees to keep all records, times, and places of all calls. All records will be available to all participants of the 9-1-1 system.
9. All agreements, management, records, and service will be the responsibility of the **ETSB**.
10. This Agreement shall be effective when signed by the duly authorized representatives of **RUTLAND** and the **ETSB**.

11. Any notices to be provided pursuant to this Agreement to be given by either party to the other shall be delivered or mailed to the office of the Village Clerk of **RULAND** or the office of the **ETSB**.
12. No officer, official, or agent of **RUTLAND** or **ETSB** shall have the power to amend, modify or alter this Agreement or waive any of its conditions so as to bind either party by making any promise or representation not contained herein. This Agreement may not be amended, except by written agreement and resolution of the parties.
13. The term of this Agreement shall be five (5) years from the date of its execution. On the anniversary marking the expiration of the initial five (5) year term, this Agreement shall automatically renew for another five (5) year term unless either party notifies the other in writing of their intention not to renew. To be effective, such notice must be received one year or three hundred sixty-five (365) days prior to the expiration of the prior term.
14. If any provision, clause or part thereof contained in this Agreement is held invalid by a court of competent jurisdiction, or is invalid for any other reason, such invalidity shall not affect any other provision, clause or part thereof.

IN WITNESS WHEREOF, the Village of Rutland pursuant to Ordinance duly passed and adopted by its Village Board of Trustees has caused this Agreement to be executed in its name by its Village President and its corporate seal to be affixed hereto, and attested to by the Village Clerk of the Village of Rutland, and the Marshall County Emergency Telephone System Board has duly authorized its Chairman to execute this Agreement in duplicate original counterparts, as of the day and year above first written.

Marshall County ETSB 9-1-1

By: Donald Scrivner
DONALD SCRIVNER

Title: Chairman

Date: March 12, 2003

Village of Rutland

By: Charlotte R. Rupe
CHARLOTTE RUPE

Title: Village President

Date: March 10, 2003

ATTEST:

Deb Dexamel
Village Clerk